

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3058
)	
v.)	
)	
ALAN ZWINK,)	ORDER
)	
Defendant.)	
_____)	

A telephone conf was held with counsel this date on their joint motion to continue the trial. Upon hearing the parties' positions, I agree justice would be served by allowing them to explore the possibility of pretrial diversion as a means to resolve this case.

IT THEREFORE HEREBY IS ORDERED,

1. The joint oral motion for continuance of trial is granted. Trial of this matter is continued until further order of the court. All pending matters, including ruling on the motion to dismiss, are stayed until September 30, 2005.

2. Once the investigation of pretrial diversion has reached its conclusion, or alternatively at the expiration of the stay, counsel shall report to the undersigned on their agreement or lack thereof.

3. The time between this date and September 30, 2005 shall be excluded from the computation of time under the Speedy Trial Act, in accordance with 18 U.S. C. 3161(h)(2).

DATED this 22nd day of August, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge